

Atty. Docket No. 201 US

OFFICIAL

III. an invention reciting the antibody.

Applicants elect the alleged invention set forth in category II, above, reciting a non-organic molecule.

B. Election of species set forth in paragraph 2B of the Office Action

According to the Office Action, Claim 24 is generic to a plurality of (allegedly) patentably distinct species comprising species identified in the claim as:

- I. an invention reciting cell size;
- II. an invention reciting cell shape;
- III. an invention reciting cell proliferation;
- IV. an invention reciting cell differentiation;
- V. an invention reciting cell survival;
- VI. an invention reciting cell death; and
- VII. an invention reciting utilization of nutrient.

Applicants elect the alleged invention set forth on category V, above, reciting cell survival.

C. Election of species set forth in paragraph 2C of the Office Action

According to the Office Action, Claim 28 is generic to a plurality of (allegedly) patentably distinct species comprising species identified in the claim as:

- I. an invention reciting a protein comprising an SH2 domain;
- II. an invention reciting a protein comprising an SH3 domain;
- III. an invention reciting a protein comprising a guanine nucleotide exchange factor;
- IV. an invention reciting a protein comprising a phosphatase; and
- V. an invention reciting a protein comprising a kinase.

Applicants elect the alleged invention set forth on category IV, above, reciting a protein comprising a phosphatase.

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D. Election of species set forth in paragraph 2D of the Office Action

According to the Office Action, Claim 23 is generic to a plurality of (allegedly) patentably distinct species comprising species identified in the claim as:

- I. an invention reciting that phenotype is protein kinase catalytic activity; and
- II. an invention reciting that phenotype is an interaction between the C-RET receptor protein and a natural binding partner of C-RET.

Applicants elect the alleged invention set forth in category I, above, reciting that phenotype is protein kinase catalytic activity.

3. GENERAL REMARKS

Election in each of the above-identified circumstances is improper (*see* MPEP 806 et. seq.) Accordingly, reconsideration and withdrawal of the requirement are therefore required.

CONCLUSION

Applicants believe that the claims are now in condition for allowance and a notice to that effect is respectfully requested. If any fee is due in conjunction with the present amendment, please charge SUGEN Deposit Account No. 194875 for the appropriate amount. Should the Examiner believe that a telephone interview would aid in the prosecution of this application, Applicants encourage the Examiner to call the undersigned collect at (650) 553-8404.

Dated: 08/29/00

Respectfully submitted,

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